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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,624	01/28/2004	Alan Orr	HEL565/03283	3749
24118	7590	03/22/2005	EXAMINER	
HEAD, JOHNSON & KACHIGIAN 228 W 17TH PLACE TULSA, OK 74119			WEEKS, GLORIA R	
			ART UNIT	PAPER NUMBER
			3721	
DATE MAILED: 03/22/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

SP

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/766,624	ORR ET AL.	
	Examiner	Art Unit	
	Gloria R Weeks	3721	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 January 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-15 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/28/04</u> . | 6) <input type="checkbox"/> Other: _____  |

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 5, 6, 9-12, 14 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Wasterval, Jr. et al. (USPN 4,885,893).

In reference to claims 1, 5, 6 and 9-11, Wasterval, Jr. et al. discloses a method of self-aligning connections for a two section mast, which method comprises: transporting on a vehicle (column 1 lines 19-20; column 2 lines 58-59) an elongated bottom mast section (26) to a guide frame (22) adjacent to a well site (column 2 lines 55-60), the bottom mast section (26) having a pair of front legs (77) and a pair of rear legs (92); transporting (figures 2-5) an elongated top mast section (24) to said well site so that the mast sections are aligned (figure 5), the top mast section (24) having a pair of front legs (51) and a pair of rear legs (64); positioning the legs (77, 92) of the bottom mast section (26) slightly below a level of said legs of said top mast section (24; figure 5), and raising the bottom mast section (26) in order to engage said top mast section (24) while simultaneously aligning the mast sections together (figure 6; column 5 lines 3-31); wherein the pair of top mast rear legs (64) each include a jaw (96) with a shoulder which engage

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and align with the pair of bottom mast rear legs (92) which each include a jaw with protruding semi-circular plates (94).

Regarding claims 12, 14 and 15, Wasterval, Jr. et al. discloses a two section mast with self-aligning connections, which mast comprises: an elongated bottom mast section (24) having a pair of front legs (51) and a pair of rear legs (64); an elongated top mast section (26) having a pair of front legs (77) and a pair of rear legs (92); a self-aligning connection between the mast sections (24, 26) wherein the pair of top mast front legs (77) each include a pair of protruding circular plates (79), each pair of plates (79) engage and align with a jaw (86) having a pair of hooks extending from each of the bottom mast front leg (51; figures 11 & 12), and wherein the pair of top mast rear legs (92) each include a jaw (94) with a shoulder, each jaw engaging and aligning with a jaw with protruding semi-circular plates (96) extending from each bottom mast rear leg (64); a pin (78) passing through each the jaw (86) of said bottom mast front legs (51) and through each pair of protruding circular plates (79) of the top mast front legs (77).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 3, 7 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Wasterval, Jr. et al. (USPN 4,885,893) in view of Willis (USPN 4,821,816).

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With respect to claims 2, 3, 7 and 13, Wasterval, Jr. et al. discloses a method and apparatus for self-aligning a top and bottom mast section, wherein the bottom mast is raised by a crane and hook. Willis teaches a method of raising mast sections (56, 90) using cylinders (66, 86a) on mast stands (20, 80), wherein the cylinders (66, 86a) are powered by a rig hydraulic system (column 2 lines 5-14). It would have been obvious to one having ordinary skills in the art at the time of the invention to modify the method of Wasterval, Jr. et al. to include the use of cylinders on a mast stand for the purpose of reducing setup time of the rig.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being anticipated by Wasterval, Jr. et al. (USPN 4,885,893).

In reference to claim 8, Wasterval, Jr. et al. discloses a method of self-aligning connections for a two section mast the pair of top mast front legs (51) each include an alignment jaw having a pair of hooks (86) and the pair of bottom mast front legs (77) which each include a pair of protruding circular plates (79) which engage via a pin (78) and align with the pair of bottom mast front legs (51). Although Applicant's invention has alignment means arranged the opposite of Wasterval, Jr. et al., it would have been obvious to one having ordinary skill in the art to place the pair of jaws with hooks on the bottom mast front legs and the pair of circular plates on the top mast front legs, since it is has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

***Allowable Subject Matter***

7. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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The following is a statement of reasons for the indication of allowable subject matter:

The art of record considered as a whole, alone or in combination, neither anticipates nor renders obvious a method of self-aligning a bottom and top mast section in which the bottom mast section is raised in order to engage the top mast section, thus simultaneously aligning the mast sections together, wherein the legs of the bottom mast section are positioned slightly below a level of the legs of the top mast section by lowering the bottom mast section before raising the bottom mast section.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to attachment for notice of references cited and recommended for consideration based on their disclosure of limitations of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gloria R Weeks whose telephone number is (571) 272-4473. The examiner can normally be reached on 7:30 am - 6:00 pm Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I Rada can be reached on (571) 272-4467. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



grw

March 17, 2005

Gloria R Weeks  
Examiner  
Art Unit 3721



Rinaldi I. Rada  
Supervisory Patent Examiner  
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